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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES,

Plaintiff,

vs.

WILLIAM GARLOCK,

Defendant.

Case No.: CR 18-00418 VC

**MEMORANDUM RE: APRIL 30, 2019,
STATUS CONFERENCE**

Date: April 30, 2019
Time: 10:30 a.m.

Undersigned defense counsel for Defendant William Garlock submits this memorandum to assist the Court with respect to the April 30, 2019, status conference in this matter.

At the previous status conference on March 5, 2019, the defense requested, and the government agreed to, a trial setting in October 2019. That request was based upon the complexity of this case and its voluminous record, which includes tens of thousands of pages of discovery and the docket for a bankruptcy proceeding which lasted more than three years, as well as the trial schedule of defense counsel. After hearing from the parties, the Court set a trial date of June 10, 2019, and directed undersigned counsel to inform the Court regarding any developments in his trial schedule ahead of this status conference.

1 Defense counsel is set for trial beginning May 28, 2019, in Monterey County in *People v. Ian*
2 *Czirban*, Case No. SS170589A. The defendant in that case, a heavy equipment contractor, faces
3 numerous felony charges arising from the death of a bulldozer operator who was assisting Cal Fire in
4 fighting the Soberanes Fire in 2016. The trial judge has informed the parties that there are no other
5 cases set for trial on May 28 in his department.
6

7 On June 10, 2019, the same date as the trial in this case, undersigned counsel is set for trial in
8 the Northern District of Texas in *United States v. Puram, et al.*, Case No. CR 18-00241 MAC, which
9 involves felony charges under 18 U.S.C. § 1030 (unauthorized access of a computer network). The
10 Court in that matter has denied motions to continue by both the defense and the government, and has
11 informed the parties in writing that no continuances of the June 10 trial date will be granted.
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13 Undersigned counsel is unavailable in July 2019 for a trial setting in this case due to pre-
14 arranged vacation plans with his family. Counsel is informed by Kyle Waldinger, the Assistant
15 United States Attorney assigned to this case, that he is also unavailable for a trial setting in July for
16 the same reason.

17 Undersigned counsel is set for trial on August 27, 2019, in *United States v. Hao Zhang, et al.*,
18 CR 15-00106 EJD. That trial, in the Northern District of California, involves allegations of economic
19 espionage and theft of trade secrets under the Economic Espionage Act. The government, through
20 Assistant United States Attorney Matthew Parrella, has informed the Court that its case-in-chief will
21 take approximately six weeks.
22

23 In addition, since the March 5, 2019, status conference in this case, the government has filed a
24 superseding indictment which adds a felony violation of 18 U.S.C. § 152(1) (fraudulent concealment
25 of bankruptcy assets), and, earlier this month, produced additional discovery to the defense. Mr.
26 Garlock was arraigned on the superseding indictment on April 10.
27

28 For the foregoing reasons, at the April 30 status conference in this matter, undersigned
counsel intends to ask this Court for a trial date of October 21, 2019. Given the extensive record in

1 this case and defense counsel's trial schedule, counsel cannot provide effective representation to Mr.
2 Garlock at trial any sooner than that date. Defense counsel has conferred with Mr. Waldinger, who
3 concurs with a trial setting of October 21, 2019.
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6 Dated: April 23, 2019

NOLAN BARTON & OLMOS LLP

7 /S/

8 Daniel B. Olmos

9 Attorney for Defendant William Garlock
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